

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
:  
:  
In re REFCO, INC. SECURITIES LITIGATION :  
:  
:  
-----x  
In re REFCO CAPITAL MARKETS, LTD. :  
BROKERAGE CUSTOMER SECURITIES :  
LITIGATION :  
-----x

SEARCHED INDEXED  
SERIALIZED FILED  
DATE FILED: 8/12/08  
07 Md. 1902 (GEL)  
05 Civ. 8626 (GEL)

**ORDER**

06 Civ. 643 (GEL)

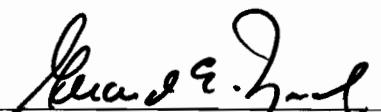
GERARD E. LYNCH, District Judge:

Jonathan Lee Riches, an incarcerated federal prisoner, moves to intervene as a plaintiff in the above-captioned matters as a matter of right, pursuant to Fed. R. Civ. P. 24(a), or permissively, pursuant to Fed. R. Civ. P. 24(b). Riches previously moved to intervene as a plaintiff in American Financial International Group-Asia et al. v. Phillip R. Bennett et al., 05 Civ. 8988 (GEL) (S.D.N.Y.). In an Order dated July 31, 2008, the Court denied Riches's motion and set forth its reasons for doing so. (Doc. # 90, 05 Civ. 8988).

Riches's pending motion to intervene in the above-captioned cases is based on the exact same arguments that the Court previously considered and rejected in the American Financial action. Accordingly, Riches's motion to intervene in the above-captioned cases is likewise denied.

SO ORDERED.

Dated: New York, New York  
August 12, 2008

  
GERARD E. LYNCH  
United States District Judge